

---

## Health and Safety for Historic Graveyards: Guidance for visitors and owners

This leaflet provides guidance on health and safety issues for visitors to graveyards and owners of memorials. In almost every graveyard the safety of visitors and workers in the graveyard is endangered due to the dangerously unstable condition of many memorials. This danger may not be apparent immediately as gravestones can be perfectly upright and show no obvious signs of instability, yet still be highly unstable. If your family is the legal owner of a memorial, it is your family's responsibility to ensure that the memorial is in a safe condition and does not pose a risk to users of the graveyard.

---

The following *Graveyards and Gravestones Electronic Leaflets* are free and can be downloaded from Historic Scotland's website: [www.historic-scotland.gov.uk](http://www.historic-scotland.gov.uk)

1. Working in a scheduled or listed graveyard or burial ground
2. Good practice in maintaining a historic graveyard
3. Looking after gravestones
4. Health and safety in historic graveyards: guidance for visitors and owners
5. Health and safety in historic graveyards: guidance for works teams and volunteer workers, including volunteer surveyors
6. Short guide for cemetery managers: emergency measures for historic memorials
7. Historic Scotland grants in relation to graveyards or burial grounds
8. Abandoned structures within graveyards

To obtain copies of all Historic Scotland publications referred to in this leaflet, including free leaflets, e-mail [hs.conservation.bureau@scotland.gsi.gov.uk](mailto:hs.conservation.bureau@scotland.gsi.gov.uk) or telephone 0131 668 8638. Useful publications include *Conservation of Historic Graveyards: Guide for Practitioners 2* (£19.50) and *The Conservation of Architectural Ancient Monuments in Scotland: Guidance on Principles* (£5.50).

---

### 1. What precautions should visitors take?

- Always try to visit a graveyard with a companion. If going alone, before you set off let a friend or family member know the date, time and proposed duration of your visit and where the graveyard is located. Some remote rural graveyards do not receive many visitors, which can increase the risk to the visitor if injured or taken ill.
- Wear appropriate footwear. Avoid wearing smooth-soled shoes as they increase your risk of slipping, especially on wet surfaces, or open-toed sandals which provide little protection if your foot comes into contact with pieces of stone or metal.
- Many urban graveyards, especially those in city or town centre areas, attract persons who may pose a threat; even their presence can be disturbing to visitors. You must assess carefully the risks before entering a graveyard: look for signs of vandalism, empty alcohol bottles and syringes. If you are in any doubt whatsoever about your personal safety, do not go into the graveyard.
- Pay careful attention to the surfaces of horizontal gravestones, paths and roads to avoid the risk of slipping on icy or greasy surfaces or tripping on sunken or raised parts. Steps are frequently very slippery and you should approach them with care, especially if you are elderly or infirm.
- Do not approach too close to any memorials that display signs of instability. As a 'rule of thumb', maintain a distance from any unstable memorial that is equal to at least one and a half times the memorial's height. Instability or the collapse of a memorial is often due to a number of related factors, including the failure of a stone's foundation, inadequate jointing of gravestone parts, poorly executed repairs and general weathering and erosion. Report any unstable memorials to the person responsible for managing the site, in most cases this will be the local authority cemetery manager.
- Do not lean or sit on any memorial, even if it appears to be stable.
- Do not allow children to run or play in a graveyard under any circumstances. Make sure that children are supervised by an adult at all times.
- Do not undertake any work on a stone unless the stability of the memorial has been properly tested. Before undertaking any work, read *Graveyards and Gravestones Electronic Leaflets 1, 5 and 6*.
- Do not attempt to lift fallen headstones or to replace parts of headstones that have become detached. Even small stone pieces can be very heavy and can cause severe injury if dropped. This is a job for the professionals.

## 2. Which memorials pose the biggest risks?

While risk is not confined to any one type or age of memorial, recent surveys show that memorials constructed between the mid-19th century and the mid-20th century pose the greatest risk of collapse. Many of these memorials are large and are typically constructed of granite or sandstone. Such memorials, especially those formed from two or more pieces of granite, have often been poorly constructed, lack proper fixings between the parts and are set on inadequate brick or stone foundations. In addition, a memorial may become dangerous due to movement of the adjacent ground causing the memorial to tilt. It is not just the complete toppling of a memorial that can cause severe injury. A relatively small capping stone falling from a memorial can cause a fatal accident because even quite a small stone can be very heavy.

## 3. What are the memorial owner's responsibilities?

The primary responsibility for health and safety in a graveyard rests with the owner of the graveyard. The owner is usually the local authority but can also be a church or private company. However, the owner of the graveyard does not own the headstones or memorials within the graveyard. The owner of a memorial is the lairholder, normally the family and descendants of the deceased. In Scotland it is the practice to grant to the purchaser of the lair a *right in perpetuity*. This means that ownership of the lair and of the memorial is passed on to descendants who, frequently, cannot now be traced. However, if your family is the legal owner of a memorial, it is your family's responsibility to ensure that the memorial is in a safe condition and does not pose a risk to users of the graveyard. If an unstable memorial causes injury to a user of the graveyard, the owner of the memorial may be held to be liable.

Whilst a local authority is committed to maintaining a safe graveyard for the public, the complexities of the law mean that the local authority cannot intervene to repair a memorial except in the most extreme and dangerous situations. In such circumstances, the first action by the authority will be to lay flat the memorial to eliminate the immediate danger. If the local authority has a record of ownership showing that you are the owner of the memorial, they will advise you of your responsibility to maintain and repair your memorial if it is in a dangerous condition.

## 4. What action should you take to fulfil your responsibilities?

As the owner of a memorial there are a number of actions you can take to ensure that you fulfil your responsibilities to the best of your ability. Most of these are simple, straightforward and involve little or no expense on your part.

### 4.1 Get in touch with the owner of the graveyard

If your family is the owner of a graveyard memorial and you are concerned about its stability, you should contact the person responsible for the graveyard, which will usually be the local authority cemetery manager. The department within a local authority that has responsibility for cemeteries will vary between authorities. It could be the Environment and Property Department or the Parks and Recreation Department to name but two possibilities. The local authority will be pleased to update their ownership records to include you as owner of a memorial. This means they will be able to consult you if they decide to carry out any work (for health and safety or other reasons) in the graveyard.

Many local authorities have already undertaken surveys of their graveyards, or are currently doing so, to assess the risk to visitors from unstable memorials. As a result of these surveys, some authorities have initiated programmes of repairs to unstable headstones. If they can trace owners, they will ask them to contribute to the cost of the work. It is usually cheaper for you to take part in a major scheme of repair works than to commission a private repair to a single memorial.

If the local authority administers a graveyard attached to a church, and for all graveyards separate from churches, the Health and Safety Executive (telephone 08701 545500, website [www.hse.gov.uk](http://www.hse.gov.uk)) has enforcement responsibility for health and safety issues. Where the graveyard is attached to and administered by a church, the local authority have enforcement responsibility for health and safety issues.

### 4.2 Assess the danger your memorial poses to users of the graveyard

All that this means is that you must satisfy yourself that any memorial for which you are responsible is in a safe condition and poses no risk to users of the graveyard. Your memorial should be inspected by a memorial mason every five years and any works identified as necessary commissioned. In between these checks, it is a good idea to check the stability of your memorial by carrying out a simple assessment yourself. However, when carrying out your assessment, exercise extreme caution as even light contact with an unstable memorial can cause it, or part of it, to collapse. Carry out your assessment of your memorial in the following way:

- Observe the memorial from a safe distance (equal to at least one and a half times the height of the memorial) to look for any signs of instability: for example, is it tilted or is the supporting brick foundation exposed and disintegrating. Even a small amount of movement of a memorial made up of two or more pieces could present a risk.
- If the memorial appears to be stable, approach it carefully from the front or rear and use fingertip pressure at the top of the memorial (or at shoulder height on a taller gravestone) to detect any slight movement. Apply the pressure away from you. A surprisingly small horizontal force can be enough to provide a clue as to how stable the memorial is. Do not lean against the stone or exert strong force as this may cause it to collapse.

- If you detect any movement or if there are any other signs of instability, keep a safe distance away from the memorial. Do not attempt to stabilise it by, for example, placing pieces of stone under the base. Inform the owner of the graveyard as soon as possible of your concerns.
- Try to visit the memorial at regular intervals, once a year if possible, to check on its condition.

Further guidance on the completion of risk assessments is given in the HSE leaflet *Five steps to risk assessment* which is available for download from <http://www.hse.gov.uk/pubns/indg163.pdf>

### 4.3 How to commission work on a memorial

Do not attempt to carry out any repair work on a memorial yourself. This is a specialist task that will normally require special lifting equipment. Contact the relevant local authority before commissioning any repair work. You may find that they have a programme of repairs to graveyard memorials already in place and may be prepared to include your memorial within the programme. Typically, as part of a larger contract, you may expect the cost of repair to a memorial, at current prices, to range from around £60 plus VAT for a 1 metre high memorial to around £300 plus VAT for a memorial 1.5 metres to 1.8 metres high. These figures do not include repair to broken or fractured stones or replacement of missing pieces.

If the local authority does not have a programme of memorial repairs in place, you must commission remedial work privately and as quickly as possible. A private contract with a monumental mason for the repair of a single headstone will cost significantly more than the figures quoted above. As an example of a private contract, the memorial shown in the illustration is a 2 metre high four-piece granite headstone, built around 1924 and in a highly unstable condition. It requires to be dismantled and rebuilt on a new brick foundation. The cost of the work, including dowelling of all the joints, has been estimated at £262 plus VAT.

When commissioning repairs to a memorial, you are strongly recommended to use the services of a mason who is a member of the National Association of Memorial Masons (NAMM). NAMM has a Recommended Code of Working Practice and a member of the Association will ensure that the work is carried out to the standards of the Code.

Also see *Graveyards and Gravestones Electronic Leaflet 3*.



A typical early 20th-century four-piece granite memorial. This memorial is highly unstable and could be toppled easily. The base is balanced on a few loose bricks and the joints between the granite elements are unlikely to be pinned.

#### **4.4 Insuring a memorial**

You are strongly advised to insure a new memorial. You can usually arrange this through your memorial mason. However, as there are a number of insurance companies who specialise in this type of insurance, you would be wise to seek competitive quotations for repair cover and for third party liability.

In the case of an existing memorial you are unlikely to be able to insure it if it is in a dangerous condition. If, however, you employ a memorial mason to repair the memorial to NAMM's Recommended Code of Practice, you should then be able to arrange appropriate insurance cover.

#### **4.5 Sources of funding**

Information on Historic Scotland grants is provided in *Graveyards and Gravestones Electronic Leaflet 7*. Information on other grants that may be available is currently being prepared and will be available on the CSA Carved Stones Adviser's website in due course at [www.scottishgraveyards.org.uk](http://www.scottishgraveyards.org.uk).

#### **4.6 Scheduled Ancient Monument and Listed Building Consent for gravestones**

You will find information on any legal consents you may require prior to undertaking works to a gravestone in *Graveyards and Gravestones Electronic Leaflet 1*.

#### **Acknowledgements**

The advice of A & J Robertson (Granite) Ltd for information on the cost of repairs to granite memorials is gratefully acknowledged.

March 2003  
Historic Scotland,  
Longmore House,  
Salisbury Place,  
Edinburgh EH9 1SH.  
Telephone 0131 668 8600  
Website [www.historic-scotland.gov.uk](http://www.historic-scotland.gov.uk)